

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HARRISON DIVISION

DAVID B. PLEDGER

PLAINTIFF

v. Civil No. 04-3084

PRESTON REECE, individually
and in his official capacity,
CITY OF HARRISON, ARKANSAS,
DANNY HICKMAN, Sheriff of Boone County,
individually and in his official
capacity, and BOONE COUNTY,
ARKANSAS

DEFENDANTS

JUDGMENT

NOW on this 10th day of November, 2005, the above referenced matter comes on for consideration the **Motion for Summary Judgment** (document #22) filed by **Danny Hickman** and **Boone County, Arkansas**, and the various responses and replies thereto and, for the reasons set forth in the Court's Memorandum Opinion of this date, the Court finds and orders as follows:

* that the said motion -- which the Court treated as a motion for partial summary judgment relating only to the plaintiff's constitutional claims -- should be, and it hereby is, **granted** and plaintiff's constitutional claims against Danny Hickman and Boone County, Arkansas should be, and hereby are, **dismissed, with prejudice**; and

* that plaintiff's remaining state law tort claims against

said defendants should be, and they hereby are, **dismissed, without prejudice.**

IT IS SO ORDERED.

/s/ Jimm Larry Hendren
JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE